

Message Text

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CAB - J. CHESEN

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

UNCLAS STATE 148545

E.O. 11652:N/A

TAGS: EAIR, CA

SUBJECT: CIVAIR: DESIGNATION OF CONTEMPORARY
ENTERTAINMENT

REF: A) OTTAWA 2329; B) STATE 181398

1. DESIGNATION OF CONTEMPORARY ENTERTAINMENT SERVICES
IS BASED ON CAB AUTHORITY WHICH PERMITS COMPANY ONLY TO
CARRY ENTERTAINMENT GROUPS IN PLANELOAD CHARTER OPERATIONS.
AT TIME OF DESIGNATION, THERE WERE NO INDICATIONS THAT
CONTEMPORARY WAS PLANNING TO INITIATE SERVICES OTHER THAN
TYPE AUTHORIZED BY CAB AND COVERED BY BILATERAL NON-
SCHEDULED AIR SERVICES AGREEMENT.

2. UNDER PART 121 OF FEDERAL AVIATION ADMINISTRATION
REGULATIONS, US COMPANIES MAY CONDUCT FLIGHTS AS "COMMER-
CIAL OPERATORS" WITHOUT FURTHER AUTHORITY FROM CAB. FOR
REASONS DISCUSSED REFTEL B, USG CONSIDERS PART 121 OPERATORS
TO BE OUTSIDE SCOPE OF US-CANADA NONSCHEDULED AIR
SERVICES AGREEMENT AND DOES NOT DESIGNATE SUCH OPERATORS
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UNDER TERMS OF SAID AGREEMENT. CONTEMPORARY MAY BE SEEKING

TO IMPLEMENT LAS VEGAS FLIGHTS PURSUANT TO PART 121. IF THIS IS THE CASE, CONTEMPLATED LAS VEGAS OPERATIONS WOULD FALL

BEYOND SCOPE OF COMPANY'S DESIGNATION WHICH REMAINS BASED ON SERVICES AUTHORIZED BY CAB AND COVERED BY BILATERAL AIR SERVICES AGREEMENT.

3. EMBASSY MAY TRANSMIT ABOVE INFO TO PEARCE BY LETTER ALONG FOLLOWING LINES:

"CONTEMPORARY ENTERTAINMENT SERVICES INC. HAS BEEN DESIGNATED TO ENGAGE IN TRANSBORDER CHARTER OPERATIONS ON THE BASIS OF AUTHORITY ISSUED TO THE COMPANY BY THE UNITED STATES CIVIL AERONAUTICS BOARD. THIS AUTHORITY PERMITS CONTEMPORARY TO OPERATE A SPECIALLY CONFIGURED BOEING 720A AIRCRAFT FOR TRANSPORTATION OF ENTERTAINMENT GROUPS ONLY. IN VIEW OF THE UNIQUE NATURE OF THIS COMPANY AND THE RESTRICTIONS IMPOSED ON ITS OPERATIONS, IT WAS NOT CONSIDERED NECESSARY TO IMPOSE THE ADDITIONAL LIMITATION CONCERNING THE SUNSPOT EXEMPTIONS.

4. THE DESIGNATION OF CONTEMPORARY PURSUANT TO THE US-CANADIAN NONSCHEDULED AIR SERVICES AGREEMENT ENVISAGED ONLY THE TYPE OF OPERATIONS COVERED BY THAT AGREEMENT. AS YOU KNOW, THE UNITED STATES GOVERNMENT MAINTAINS THAT CERTAIN CATEGORIES OF US OPERATORS, SUCH AS "COMMERCIAL OPERATORS" REGISTERED UNDER PART 121 OF THE FEDERAL AVIATION ADMINISTRATION REGULATIONS, FALL OUTSIDE THE SCOPE OF THE SAID AGREEMENT. THE UNITED STATES GOVERNMENT ACCORDINGLY HAS NOT BEEN DESIGNATING SUCH COMPANIES UNDER THE TERMS OF THE BILATERAL AGREEMENT. IT IS POSSIBLE THAT CONTEMPORARY INTENDS TO OPERATE THE PROPOSED LAS VEGAS SERVICE, PURSUANT TO PART 121 OF THE ABOVE NAMED REGULATIONS. IF THIS IS THE CASE, THE DESIGNATION OF THE COMPANY WOULD NOT EXTEND TO ITS FUNCTIONS AS A "COMMERCIAL OPERATOR." KISSINGER

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